

INTERNATIONAL TRADE

Decree 205/2016

Buenos Aires, 18/01/2015

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SEEN File No. S01: 0186737/2015 of the Registry of the former Ministry of Economy and Public Finance, and

CONSIDERING:

That through Decision No. 58 dated December 16, 2010 the Common Market Council authorized the ARGENTINE REPUBLIC to maintain until the day December 31, 2015, a National List of Exceptions to the Common External Tariff (CET) OF up to one hundred (100) codes of the Mercosur Common Nomenclature (NCM).

That Decree No. 100 dated January 12, 2012, in Article 15, it adopted the provisions of the community law mentioned in the preceding.

That also, Article 2 of the mentioned decree, updated the National List of Exceptions noted, replacing Annex II to Decree No. 509 dated May 15, 2007, as amended by Annex II established therein.

That, moreover, by Decision No. 26 dated July 16, 2015 of the Common Market Council, the periods specified in Article 1 of the Decision No. 58/10 of the Common Market Council were modified, establishing for the ARGENTINA REPUBLIC, the possibility to maintain a national list of exceptions to December 31, 2021, remaining in force the other terms and conditions provided therein.

On the other hand, between the codes of the National List of Exceptions is currently included in tariff position of the Mercosur Common Nomenclature (NCM) 2826.12.00, which classifies the goods called "aluminum fluoride," setting for the same an Extra-zone import duty of two percent (2%).

The Common External Tariff (CET) agreed at a regional level on the chemical compound, was the subject of the amendments introduced by Resolution No. 9 dated May 13, 2014 of the Common Market Group, to establish an aliquot to the same of TWO PERCENT (2%).

That because of the equalization of tax rates, it is idle to keep the product in question included in the National List of Exceptions, therefore its exclusion corresponds.

That it is also desirable to incorporate in that list, herbicides classified under tariff position Mercosur Common Nomenclature (NCM) 3808.93.24, made of glyphosate or its salts.

That, on the other hand, it corresponds to adapt the exception currently set for position of the Mercosur Common Nomenclature (NCM) 3824.90.31, replacing it with code 3909.30.20, in order to follow the provisions of the World Customs Organization (WCO) on the subject.

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That, consequently, it corresponds to incorporate into the legal system of the ARGENTINA REPUBLIC Resolution No. 9/14 of the Common Market Group and the Decision No. 26/15 of the Common Market Council, making the appropriate adjustments in the Annexes I and II of Decree No. 509/07, and its amendments.

They have taken the relevant technical intervention areas of the Ministry of Production and the Ministry of Economy and Public Finance.

The Directorate General of Legal Affairs of the Ministry of Production has taken action within its jurisdiction.

The National Executive Power is empowered to dictate the act, under the authority conferred by Article 99, paragraph 1 of the Constitution and Articles 11, paragraph 2, and 12 of Law No. 22.415 Law (Customs Code) and its amendments, as recorded in Decree No. 509/07 and its amendments.

Thus,

THE PRESIDENT OF THE ARGENTINE NATION

DECREES:

Article 1° - Adopt the provisions of Resolution No. 9 dated May 13, 2014 the Common Market Group and Decision No. 26 dated July 16, 2015 the Common Market Council, which certified copy is reproduced in three (3) forms, as Annex I, are integral part of this measure.

Art. 2° - Amend Annex I of Decree No. 509 dated May 15, 2007 and its amendments, according to the detail that is recorded on the scoresheet, that as Annex II, is an integral of the present decree.

Art. 3° - Hereby is replaced Annex II of Decree No. 509/07 and its amendments, by the consigned in the two (2) forms, which as Annex III, are an integral part of this measure.

Art. 4° - The provisions of Article 3 of this decree remain in force under the terms of the Decision No. 26/15 of the Common Market Council.

Art. 5° - Refer authenticated copy of this measure to the Ministry of Foreign Affairs and Cult attentive to its character as Coordinator of the National Section of the Common Market Group.

Art. 6° - This Decree shall take effect from the day following of its publication in the Official Gazette.

Art. 7° - Communicate, published, submitted to the National Official Registry and filed. - MACRI. - Marcos Peña. - Alfonso Prat Gay. - Francisco A. Cabrera.

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ANNEX I

MERCOSUR/GMC/RES. N° 09/14

MODIFICATION OF THE MERCOSUR COMMON NOMENCLATURE AND ITS CORRESPONDING COMMON EXTERNAL TARIFF

SEEN: The Asuncion Treaty, the Ouro Preto Protocol, Decisions No. 07/94, 22/94 and 31/04 of the Common Market Council and Resolution No. 05/11 of the Common Market Group.

CONSIDERING:

It is necessary to adjust the Mercosur Common Nomenclature and its corresponding Common External Tariff, key instruments of the Customs Union.

THE COMMON MARKET GROUP

RESOLVED:

Art. 1 - To approve the "Changing the Mercosur Common Nomenclature and its corresponding Common External Tariff" in its Spanish and Portuguese, consisting as Annex and which are part of this resolution.

Art. 2 – The amendments to the Mercosur Common Nomenclature and its corresponding Common External Tariff approved by this resolution, shall be applied before 01/I/2015, having the States Parties ensured their incorporation into the national law before that date.

XCIV GMC - Caracas, 13 / V / 14.

ANNEX

SITUACIÓN ACTUAL			MODIFICACIÓN APROBADA		
NCM	DESCRIPCIÓN	AEC %	NCM	DESCRIPCIÓN	AEC %
2826.12.00	-- De aluminio	10	2826.12.00	-- De aluminio	2

MERCOSUR/CMC/DEC. N° 26/15

MODIFICATION OF DECISION CMC N° 58/10

SEEN: The Treaty of Asuncion, the Protocol of Ouro Preto and Decisions No. 07/94, 22/94. 68/00, 31/03, 38/05, 59/07, 28/09 and 58/10 of the Common Market Council.

CONSIDERING:

The achievement of the objectives of the Treaty of Asuncion requires the adoption of trade policy instruments to promote competitiveness in the region.

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That proper management of the tariff policy of the Mercosur should take into account the international economic situation.

THE COUNCIL OF COMMON MARKET

DECIDES:

Art. 1 - Modify the limits laid down in Article 1 of Decision CMC No. 58/10 which allows States Parties to establish National List of Exceptions to the Common External Tariff (CET) on the following terms:

- a) Republic of Argentina: up to 100 NCM codes to December 31, 2021
- b) Federative Republic of Brazil: Up to 100 NCM codes until December 31, 2021
- c) Republic of Paraguay: up to 649 NCM codes until December 31, 2023
- d) Eastern Republic of Uruguay: 225 NCM codes until December 31, 2022
- e) Bolivarian Republic of Venezuela: 225 NCM codes until December 31, 2022

Art. 2 – Will continue to be in force the other terms and conditions set forth in the Decision CMC No. 58/10.

Art. 3 - This Decision shall be incorporated into the legal systems of the States Parties before the 01/XI/2015.

XLVIII CMC - Brasilia, 16 / VII / 15.

ANNEX II

SITUACIÓN ACTUAL							MODIFICACIÓN APROBADA						
NCM	DESCRIPCIÓN	AEC %	U	DIE %	DII %	RE %	NCM	DESCRIPCIÓN	AEC %	U	DIE %	DII %	RE %
2826.12.00	-- De aluminio	10		2,0	0,0	2,50	2826.12.00	-- De aluminio	2		2,0	0,0	0,0

ANNEX III

Lista de Excepciones al Arancel Externo Común

NCM	REF.	DIE	NCM	REF.	DIE	NCM	REF.	DIE
		%			%			%
0703.20.90		25,0	2941.90.33		8,0	7219.32.00		4,0
1109.00.00		31,0	3105.30.10		0,0	7219.33.00		0,0
1212.21.00		0,0	3105.40.00		0,0	7219.34.00		0,0
1212.29.00		0,0	3206.11.19		0,0	7219.35.00		4,0
1302.31.00		13,5	3707.60.21		0,0	7220.20.90		4,0
1509.10.00		31,5	3806.91.99	(4)	0,0	7225.11.00		4,0
1509.90.10		31,5	3808.93.24	(5)	35,0	7225.19.00		4,0
1509.90.90		31,5	3824.90.29	(6)	2,0	7226.99.00	(17)	0,0
1513.21.10		2,0	3907.40.90		0,0	7226.30.00	(18)	8,0
1513.29.10		2,0	3909.30.20	(7)	0,0	7312.10.10		0,0
2008.70.10		35,0	3909.40.99		8,0	7315.11.00	(19)	0,0
2208.30.10		6,0	4001.10.00		0,0	7318.15.00		25,0
2837.11.00		0,0	4001.22.00		0,0	7318.16.00		25,0
2905.14.10		6,0	4002.20.90		0,0	7806.12.90	(20)	4,0
2905.31.00		0,0	4002.70.00		0,0	8414.30.11		0,0
2905.42.00		6,0	4503.10.00		0,0	8418.69.40	(21)	4,0
2907.11.00		2,0	4811.58.30	(8)	2,0	8433.59.80	(22)	0,0
2907.13.00		4,0	5402.20.00	(9)	0,0	8482.91.19		4,0
2909.41.00		8,0	5402.20.00	(10)	10,0	8482.99.90		4,0
2915.11.00		2,0	5806.32.00	(11)	2,0	8501.40.19	(23)	4,0
2916.14.10		6,0	5902.20.00		10,0	8522.90.90	(24)	0,0
2917.12.10		0,0	7019.59.00	(12)	2,0	8523.29.24	(25)	0,0
2917.36.00		0,0	7202.19.00	(13)	0,0	8523.41.10	(26)	26,0
2918.11.00	(1)	2,0	7202.41.00		0,0	8535.90.00	(27)	8,0
2921.11.21		8,0	7202.70.00		0,0	8535.90.90	(28)	0,0
2921.19.11	(2)	2,0	7205.29.90		0,0	8537.10.90	(29)	0,0
2921.19.23		4,0	7212.40.10	(14)	2,0	8544.80.00	(30)	8,0
2921.22.00		0,0	7212.40.28	(15)	2,0	8545.11.00		4,0
2922.11.00		4,0	7216.33.00		6,0	8714.91.00	(31)	0,0
2922.12.00		4,0	7217.30.10	(16)	0,0	8714.93.20		0,0
2929.10.10		4,0	7219.21.00		8,0	8714.94.90	(32)	0,0
2931.90.37	(3)	4,0	7219.22.00		8,0	8714.96.10		0,0
2934.89.22		0,0	7219.23.00		8,0	8714.99.90	(33)	0,0
2938.10.00		8,0	7219.31.00		8,0			

REFERENCIAS:

- (1) Únicamente ácido láctico.
- (2) Únicamente monoetilamina.
- (3) Únicamente ácido fosfonometiliminodiacético.
- (4) Únicamente a base de: lufenurón; a base de teflubenzurón; a base de tiametoxam; a base de triflumurón; a base de acetamiprid; a base de imidacloprid; a base de azadiractina; a base de codlemone; a base de E, E-8, 10 dodecadienol; a base de metoxifenocide; a base de orfamone; a base de ryania; a base de spinosad; a base de Z/E-8 dodecenilacetato o a base de Cydia pomonella (virus de la granulosis).
- (5) Únicamente a base de glifosato o de sus sales.
- (6) Únicamente alcohol laurílico condensado con 2 moles de óxido de etileno.
- (7) Únicamente Poli(metilenfenilisocianato) (MDI en bruto, MDI polimérico).
- (8) Únicamente papeles del tipo "wet strenght", resistentes a la humedad y al álcali.
- (9) Únicamente para la fabricación de napas tramadas para neumáticos.
- (10) Excepto de título superior o igual a 80 DTEX, pero inferior o igual a 300 DTEX, que tributarán el Arancel Externo Común del 18%.
- (11) Únicamente cintas de poliéster, con una resistencia mínima a la abrasión de 15 KN y con un 26% de elongación máxima, determinada según norma IRAM 3641.
- (12) Únicamente en discos, de diámetro inferior o igual a 900 mm, impregnados con resina fenólica.
- (13) Únicamente ferromanganeso medio carbono.

- (14) Únicamente de espesor inferior a 0,47 mm, estañados por proceso electrolítico y barnizados en ambas caras, aptos para la fabricación de casquillos para válvulas de aerosoles.
- (15) Únicamente de anchura inferior a 240 mm y espesor superior o igual a 0,25 mm pero inferior o igual a 0,50 mm, estañados o cromados por proceso electrolítico y revestidos de plástico incluso en ambas caras, aptos para la fabricación de casquillos para válvulas de aerosoles.
- (16) Únicamente alambre de acero sin alear, con un contenido de carbono superior o igual al 0,6% en peso, revestido con una aleación a base de cobre-estaño (bronce), de diámetro superior o igual a 0,89 mm pero inferior o igual a 1,60 mm y una carga mínima de rotura superior o igual a 1270 N pero inferior o igual a 4180 N.
- (17) Únicamente fleje de acero bimetal, de 12,5/12,7 mm de ancho y 0,6 mm de espesor, en rollos, de los tipos utilizados en la fabricación de hojas de sierra.
- (18) Únicamente barras según normas AISI Hxx, AISI 6F3, AISI Dx, AISI 6G, AISI S1, AISI 01, AISI P20, AISI L6 y normas equivalentes de aceros para herramientas.
- (19) Únicamente cadenas de rodillos del tipo de las utilizadas en bicicletas.
- (20) Únicamente las mercaderías: a) con un contenido, en peso, de magnesio superior o igual al 0,80% e inferior o igual al 1,3%, manganeso superior o igual 0,80% e inferior o igual al 1,5%, hierro inferior o igual al 0,80%, silicio inferior o igual al 0,60%, cobre inferior o igual al 0,25% y otros metales, en conjunto, inferior al 0,50%, de espesor inferior a 0,32 mm y de ancho superior a 1,400 mm. b) con un contenido de magnesio superior o igual al 4% pero inferior o igual al 5%, en peso, manganeso superior o igual al 0,20% pero inferior o igual al 0,50%, en peso, hierro inferior o igual al 0,35% en peso, silicio inferior o igual al 0,20% en peso, y otros metales, en conjunto, inferior o igual al 0,75% en peso, de espesor inferior o igual a 0,3 mm y ancho superior o igual a 68,1 mm pero inferior o igual a 68,3 mm.
- (21) Únicamente unidad condensadora cuyos componentes se encuentran montados en un basamento común, diseñada para equipar aparatos de refrigeración.
- (22) Únicamente cosechadoras de caña de azúcar.
- (23) Únicamente motores asíncronos, de potencia inferior o igual a 120 W, de tres velocidades y arranque mediante bobinas auxiliares en cortocircuito, con estator compuesto por dos bobinas y núcleo, cuya forma exterior es la de un rectángulo al cual se le aplanaron los vértices, de 84 mm por 67 mm y altura inferior o igual a 40 mm.
- (24) Únicamente cabezales lectores de imagen y sonido (videos), magnéticos, de 6 o más cabezas.
- (25) Únicamente cintas magnéticas en casetes para grabación de video, de anchura superior a 6,5 mm, excepto los tipos VHS, VHS-C y 8 mm.
- (26) Únicamente discos compactos (CD-R).
- (27) Únicamente conmutadores accionados mediante motor eléctrico, sin interrupción de circulación de corriente durante la conmutación, para una corriente nominal superior o igual a 100 A.
- (28) Únicamente conectores para cables coaxiales con contacto central revestido de oro.
- (29) Únicamente conmutadores de programa fijo de los tipos utilizados para el mando de aparatos de uso doméstico.
- (30) Únicamente conductores de cobre (pletinas) transpuestos de sección rectangular o cuadrada, aislado con papel para uso eléctrico, del tipo de los utilizados en bobinados de transformadores de dieléctrico líquido o seco.
- (31) Únicamente horquillas de bicicleta construidas esencialmente en acero con suspensión o en aleaciones de aluminio con suspensión.
- (32) Únicamente frenos y partes de frenos, excepto los cables y vainas para bicicletas.
- (33) Únicamente comandos y cables de cambios de velocidades y descarriladores de cambios de velocidades para bicicletas.